

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

TAFARI A. HAYNES,)	
Plaintiff,)	
v.)	Civil Action No. 15-1389
)	
CLARION UNIVERSITY OF)	
PENNSYLVANIA, MATTHEW SHAFFER)	
COORDINATOR OF JUDICIAL AFFAIRS)	
AND RESIDENCE LIFE EDUCATION)	
AT CLARION UNIVERSITY, HARRY TRIPP)	
VICE PRESIDENT OF STUDENT LIFE)	
AND UNIVERSITY AFFAIRS AT)	
CLARION UNIVERSITY, CHRISTOPHER)	
MCCARRICK, CHAIRMAN OF CLARION)	
UNIVERSITY, CONDUCT BOARD AT)	
CLARION UNIVERSITY, KAREN WHITNEY,)	
PRESIDENT OF CLARION UNIVERSITY,)	
LISA HEPLER. REGISTRAR AT CLARION)	
UNIVERSITY, JOHN DOE, EMPLOYEE AT)	
CLARION UNIVERSITY)	
)	
Defendants.)	
)	

ORDER

AND NOW, this 1st day of April, 2016, this Court having considered Defendants' Motion to Dismiss Amended Complaint (Docket No. [20]), the Amended Complaint (Docket No. 13), and the parties' briefing (Docket Nos. 21 and 29); the governing standards for determining a motion to dismiss as espoused in *Bell Atl. Corp. v. Twombly*, 550 U.S. 544 (2007), and *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009), and the concessions by Plaintiff that he cannot state a claim for breach of contract and that certain of his claims must be limited to requests for injunctive relief, (Docket No. 29 at 3 n.1; 17 n.6);

IT IS HEREBY ORDERED that Plaintiff shall file a Second Amended Complaint by April 21, 2016, addressing these admitted deficiencies;

IT IS FURTHER ORDERED that to the extent Plaintiff has determined the identity of John Doe 2, that he identify same in the Second Amended Complaint;

IT IS FURTHER ORDERED that Defendants' Motion to Dismiss [20] is DENIED, without prejudice; and

FINALLY, IT IS ORDERED that the hearing scheduled for April 18, 2016 at 2:00 pm be and hereby is CANCELLED.

s/Nora Barry Fischer
Nora Barry Fischer
United States District Judge

cc/ecf: All counsel of record